IN RE: PETITION FOR SPECIAL EXCEPTION ... Cor. SW/S Old North Point Road ZONING COMMISSIONER NW side of Berkshire Road 1056 old North Point Road OF BALTIMORE COUNTY 7th Councilmanic District 12th Election District Case No. 90-169-X Legal Owner: Baltimore County, Maryland Tenant: Southwestern Bell Mobile * Systems, Inc. t/a Cellular One

Petitioner

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

The Petitioner requests approval of a Special Exception for a wireless transmitting facility (on an existing public tower), pursuant to Section 1201.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.), as more particularly described on Petitioner's Exhibit 1.

The Petitioner, Southwestern Bell Mobile Systems, Inc. t/a Cellular One, (Tenant) was represented by Newton Williams, Esquire. Appearing on behalf of the Petitioner was Emiliene O'Rourke, Real Estate Manager, David Ransone, Professional Surveyor, Ronald F. Steg and Joseph E. Joyce. There were no Protestants.

Testimony indicated that the subject property known as 1056 Old North Point Road is owned by Baltimore County, Maryland, and is improved with the Eastview Fire Station No. 15 and the subject transmission tower which has existed for several years as a County Communications Network. The property consists of 2.3 acres +/- and is zoned D.R.10.5.

Ms. O'Rourke testified that Cellular One has been experiencing "dead spots" on the eastern portion of the Baltimore Beltway and Baltimore County, generally, which is the result of insufficient antennae in this area of the County. Ms. O'Rourke testified that Cellular One has planned

to place a total of eight (8) additional antennae on the existing 140 foot She indicated that six (6) will be placed at the 130 foot level and two (2) will be placed at the 140 foot level which would extend approximately 10 feet above the top of the tower for a total height of 150 feet. She also testified that Callular One has planned an Ex14 foot, +/-, prefabricated brick veneer equipment building indicated on Petitioner's Exhibit 1. Shr lestified that this building would be unmanned, receiving only several visits a month by Cellular One technicians. She also testified that Cellular One has planned \$8,000 to \$12,000 in landscaping for this site and, additionally, will pay \$24,000 per year to Baltimore County as rent for the use of the tower.

Mr. David Ransone testified regarding the layout of the subject site. He testified that the current parking spaces numbering twenty (20) exceed that required by the Baltimore County Zoning Regulations (B.C.Z.R.) by five (5). He stated that, in his opinion, the Petitioner's proposal would have no adverse impact on the health, safety or general welfare of this community.

Mr. Ronald Steg prepared the environmental impact assessment statement which was introduced at the hearing as Petitioner's Exhibit No. 6. Mr. Steg's study concluded that the microwave transmissions from this particular site pose no health hazard to the surrounding community. He testified that a microwave oven will emit higher levels of microwaves than that detectable at the bottom of the subject tower. He also indicated that the tower will have little or no impact on the flight of migratory birds in this area.

It is clear that the B.C.Z.R. permits the use proposed in a D.R. 10.5 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioner.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A2d 1319 (1981).

The proposed use will not be detrimental to the health, safety or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

A Special Exception for wireless transmitting and receiving facilities are governed by special regulations found in Section 502.7 of the B.C.Z.R. This site, as shown on Petitioner's Exhibit 1 is not within one and one-half miles of any existing historical districts on the Baltimore County Final Historic Landmarks list or any other listed historic districts. Therefore, the request complies with the requirements of Section

502.7.A of the B.C.E.R. Furthermore, this project is covered by paragraph 502.7.B.1 and complies with those legal requirements for location.

The facts in evidence establish that this project is being located on an existing structure over 50 feet in height. Therefore, the exemptions provided in Section 502.7.D. as listed below apply to this use:

D. Exceptions. (Bill No. 64, 1986.)

1. The provisions of subparagraphs 502.7.c.1, 2, 3, 4 and 5 do not apply to wireless transmitting or receiving structures that are mounted on any existing structure over fifty (50) feet in height.

Finally, the Petitioner's evidence establishes that the proposed use on the existing tower will comply with the requirements of Section 502.7.C.6 through 11 and the Special Exception should be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner of Baltimore County, Maryland, this 16 day of 50. 1989 that the Petition for Special Exception for a wireless transmitting facility (on an existing public tower), pursuant to Section 1801.1.C.20 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction, which are conditions precedent to the relief granted herein.

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

OF BALTIMORE COUNTY

cc: Peoples Counsel

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner



Newton Williams, E. mire 700 Court Towers Towson, Maryland 21204

Petitioner

RE: Case No. 90-169-X Southwestern Bell Mobile Systems, Inc., t/a Cellular One Baltimore County, Maryland - Legal Owner

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

cc: Peoples Counsel

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for ______ a wireless transmitting facility (on an existing public tower) pursuant to Section 1801.1.C.20 (B.C.2.12) Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. CONTACK TANCHASEY: TENANT: Legal Owner(s): Baltimore County, Maryland Southwestern Bell Mobile Systems, Inc. (Type or Print Name) t/a Cellular One Eniliene O'Rourle Signature Emilienne O'Rourke Real Escate Manager Arnold Jablon, County Attorney 7855 Walker Drive (Type or Print Name) _ Greenbelt, Maryland 20770 City and State Attorney for Petitioner: County Attorney's Office 887-4420 Stephen J. Nolan Attsten Nolan Towson, Maryland 21204 300 E. Joppa Rd, Suite 1105 Name, address and phone number of legal owner, contract purchaser or representative to be contacted Stephen J. Nolan Towson, Maryland 21204 City and State 300 E. Joppa Road (301)823-7807 Address Suite 1105 ORDERED By The Zoning Commissioner of Baltimore County, this ______ day 19 2, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore THE LOCATE OF STARTED HAT DOES TO LEAST THE POSTERS

Tracking System Baltimore County Zoning Commissioner Office of Planning & Zoning Receipt FEE Number TYPE Identification Number Pellioner: Southwestern Bell Property Address: 1056 Old North Point Pl

(widdle initial

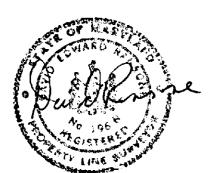
FOR ZONING PURPOSES ONLY

All that piece or parcel of land situate, lying and being in the Twelth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at the intersection of the southwest side of Old North Point Road, 60 feet wide and the northwest side of Berkshire Road, 50 feet wide, and running thence and binding on the northwest side of Berkshire Road the three following lines viz: South 36 degrees 29 minutes West 12 feet, Southerly by a line curving to the left having a radius of 506.46 feet for an arc distance of 306.13 feet and South 01 degree 51 minutes West 60.4 feet, thence leaving Berkshire Road and running the six following lines viz: North 68 degrees 09 minutes West 115 feet Northwesterly by a line curving to the right having an arc Northwesterly by a line curving to the right having an arc distance of 81.3 feet, North 61 degrees 19 minutes 20 seconds West 135.57 feet, Northwesterly by a line curving to the right having an arc distance of 36 feet, more or less North 46 degrees 56 minutes East 27 feet, more or less and North 46 degrees 56 minutes East 436 feet more or less to intersect the aforesaid southwest side of Cld North Point Road and thence binding on the southwest side of said Road, South 54 degrees 45 minutes, more or less, East 135 feet more or less to the place of beginning.

Containing 2.3 Acres of land more or less

The improvements thereon known as No. 1056 Old North Point Road.



Baltimore County Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

DATE ___ 16 24/89

Southwestern Bell Mobile Systems, Inc. t/a Cellular One 7855 Walker Drive Greenbelt, Maryland 20770

ATTN: EMILIENEE O'ROURKE

Res Petition for Special Exception

CASE NUMBER: 90-169-X Corner SW/S Old North Point Road, NW/S Berkshire Road 1056 Old Worth Point Road

12th Election District - 7th Councilmanic Legal Owner(s): Baltimore County, Maryland Tenant: Southwestern Bell Mobile Systems, Inc., t/a Cellular One HEARING: WEDNESDAY, NOVEMBER 15, 1989 at 9:30 a.m.

Please be advised that \$117.28 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.

DO NOT REMOVE THE SIGN & POST SET(5) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

ZONING COMMISSIONER

#30

cc: Stephen J. Nolan, Esq.

"PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the Hearing will be postponed. In the event of snow. telephone 887-3391 to confirm hearing date.)

#30

Dennis F. Rasmussen

Baltimore County Zoning Commissioner Office of Hanning & Zoning Towson, Maryland 21204 (301) 897-3353 J. Robert Haines

OCT 8 2 1989

NOTICE OF HEARING



Dennis F. Rasmussen County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as

Petition for Special Exception CASE NUMBER: 90-169-X Corner SW/S Old North Point Road, NW/S Berkshire Road 1056 Old North Point Road 12th Election District - 7th Councilmanic Legal Owner(s): Baltimore County, Maryland Tenant: Southwestern Bell Mobile Systems, Inc., t/a Cellular One HEARING: WEDNESDAY, NOVEMBER 15, 1989 at 9:30 a.m.

Special Exception: For a wireless transmitting facility (on an existing public tower).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTE:

(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the Hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

> J. ROBERT HAINES ZONING COMMISSIONER BALTIMORE COUNTY, MARYLAND

cc: Baltimore County/County's Attorney's Office Southwestern Bell Mobile Systems, Inc., t/a Cellular One Stephen J. Nolan, Esq.

NEWTON A. WILLIAMS THOMAS J. RENNER WILLIAM P. ENGLEHART, JR. STEPHEN J. NOLAN* POPERT E. CAMILL, SR. ROBERT L. MANLEY, JR. ROBERT B. GLUSMAKOW STEPHEN M. SCHENNING DOUGLAS L. BURGESS ROBERT E. CAHILL, IR. LOUIS G. CLOSE, III

TALSO ADMITTED IN D. C.

LAW OFFICER NOLAN, PLUMHOFF & WILLIAMS CHARTERED. SUITE 700, COURT TOWERS 210 WEST PENNSYLVANIA AVENUE Towson, MARYLAND 21204-5340

JAMES D. NOLAN (RETIRED, 1980) OF COUNSEL MALPH E. DEITZ GEIIS CHAPTINACHEILE CEIIS BERNAMAR (10E) (10E) 15:5-5:9

J EARLE PLUMHOFF

July 11, 1989

(301) 673-7500

TELEFAX! (304 296-2768

HAND DELIVERY

Mr. Mitchell J. Kellman Baltimore County Office of Planning & Zoning County Office Building Towson, Maryland 21204

> Re: Cellular One's Petition for Special Exception for Eastview Fire Station Site - 1056 Old North Point Road

Dear Mitch:

For your information and review, I am enclosing herewith a copy of my letter to David Ransome setting forth the revisions which we discussed in your office last Friday afternoon.

I am confident that Mr. Ransome's office will promptly deliver revised plats to you so that this matter can proceed.

Also as we discussed, I am resubmitting herewith the amended Petitions for Special Exception and a check for filing costs in the amount of \$175.00

Thank you for your continuing assistance. As we discussed, Cellular One urgently needs to expedite this matter in order to meet telephone subscriber needs along the 195 corridor.

> Very truly yours, Stephen J. Nolan

Enclosures

Petition for Special Exception
Case number: 90-169-X
Carner SW/S Old North Point
Fload, NW.S Berkshire Road
1056 Old North Point Road
12th Election District
7th Councilmanic
Lagal Owner(s):
Betimore County, MD
Tenant: Southwestern Bell
Mobile Systems, Inc.,
Vs Cellular One
Hearing Date: Wednesday,
Nov. 15, 1989 at 9:30 a.m.

Special Exception:: For a wireless transmitting facility (on an austing public tower).
In the event that this Pethion is

granted, a building permit may be seved within the thirty (30) day

septed period. The Zoning Com rhitationer will, however, entertain

any request for a stay of the in-tention of said permit during this period for good cause shown. Such request must be in writing

and received in this office by the date of the hearing set above or

NOTE:
(If "PHASE II" of the "SNOW EMERICENCY PLAN" is in effect between the above feathering will be socioponed in the event of snow, beigning effect.

J. ROBERT HAINE

#30

CC: Arnold Jablon, Esquire County Attorney Mr. David Ransome Gerhold, Cross & Etzel Ms. Emilienne O'Rourke Cellular One - Director of Real Estate

NEWTON A. WILLIAMS WILLIAM M. HESSON, JR. THOMAS J. RENNER WILLIAM P. ENGLEHART, JR. STEPHEN J. NOLAN* ROBERT E. CAHILL, SR. ROBERT L. HANLEY, JR. ROBERT S. GLUSHAKOW STEPHEN M. SCHENNING DOUGLAS L. BURGESS ROBERT E. CAHILL, JR. LOUIS G. CLOSE, III THOMAS X. ALDERMAN KERA I, KOSTUN

ALSO ADMITTED IN D. C.

LAW OFFICES NOLAN, PLUMHOFF & WILLIAMS CHARTERED SUITE 700, COURT TOWERS 210 WEST PENNSYLVANIA AVENUE Towson, Maryland 21204-5340 (301) 823-7800 TELEFAX: (301) 296-2765

EARLE PLUMHOFF JAMES D. NOLAN (RETIRED, 1980) 9026 LIBERTY ROAD RANDALLSTOWN, MARYLAND 21133 (301) 922-2121

July 10, 1989

HAND DELIVERY

Mr. David Ransome Gerhold, Cross & Etzel 412 Delaware Avenue Towson, Maryland 21204

Re: Cellular One's Petition for Special Exception for Eastview Fire Station Site - 1056 Old North Point Road

Dear Mr. Ransome:

As we discussed by telephone, I met with Mr.Mitch Kellman of the Zoning Office on Friday afternoon, July 7. During that meeting, Mr. Kellman requested that several revisions be made to the site plan and materials originally submitted by our office on June 28.

The required changes are described as follows:

Add a typed line at the end of the Zoning Description setting forth the acreage of the entire parcel and the house number, namely 1056 Old North Point Road;

On the profile of the existing tower (shown as an inset on the site plan dated May 17, 1989), please show and label Cellular One's proposed antennae placement amidst the other antennae already shown. Please label as "Cellular One ___ Meter Antennae on ___ foot side arm ___ (N/S/E/W) side."

3. Mr. Kellman and Carl Richards have concluded that a zoning variance will not be required in light of the provisions of Section 502.7.D.1 because the proposed antenna mounting is on an existing structure over fifty (50°) feet in height. Therefore, the following Note should be added to the plan according to Mr. Kellman:

Mr. David Ransome July 11, 1989 Page Two

> "Pursuant to BCZR Section 502.7.D.1, the provisions of subparagraphs 502.7.C.1,2,3,4 and 5 do not apply because the proposed antenna will be mounted on an existing structure over fifty feet in height."

4. Existing note #2 which refers to the variance should be eliminated. Instead, Mr. Kellman wants notes a ted to the plan which spell-out the requirements of Section 502.7.C 6 through 10. I suggest that the following Note be added:

> *Pursuant to BCZR Sections 502.7.C 6-10, the following additional requirements shall be met: 6. Environmental protection agency standards and guidelines relating to radiation emissions shall be met at all times;

> 7. When the use is terminated, the structure shall be removed; 8. Every five years (sooner, in the event of substantial damage, a safety certification by a professional engineer registered in Maryland shall be filed with the Department of Permits and Licenses;

 No white stroboscopic lights are permitted;
 An environmental impact statement as defined in Sections 101 and 502.7.C.10 shall be submitted to the Zoning Commissioner; 11. The Zoning Commissioner shall determine that the proposed antennae shall not have a substantial adverse impact on surrounding property values, park lands or open space."

Also enclosed herewith is a copy of my letter of this same date to Mitch Kellman, to whom I am returning a check for \$175 to cover the increased filing fee as of July 1 (on June 28 we tendered a check for \$200 to cover the special exception and the variance) and the revised special exception forms with added language which Mr. Kellman requested.

Copies of this letter are also being sent to Arnold Jablon, the County Attorney, and to Emilienne O'Rourke, Cellular One's Director of Real Estate.

Anything you can do to expedite the delivery of 10 revised plans directly to Mr. Kellman as soon as possible would be Mr. David Ransome July 11, 1989 Page Three

greatly appreciated. Also please forward 5 plans to me so that I can appropriately distribute them to Mr. Jablon, Ms. O'Rourke and other parties in involved.

Thank you for your assistance.

Very truly yours, - Steve Nolan Stephen J. Nolan

SJN/mao

Enclosures

CC: Arnold Jablon, Esquire County Attorney

> Emilienne O'Rourke Director of Real Estate Cellular One

CERTIFICATE OF PUBLICATION NOTICE OF HEARING The Zoring Commissioner of Baltimore County, by authority of the Zoring Act and Regulations at Baltimore County will hold a public hearing on the property identified herein in Floom 106 of the County Office Building, incested at 111 W. Chestpeake Avertice in Towach, Maryland 21204 ats Fritmet.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of _____ successive weeks, the first publication appearing on Oct. 19. 1989

THE JEFFERSONIAN.

\$ PO 17310 nea M34253 price \$47.28

90-169-X CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Date of Posting 10/19/89 Posted for: Special Exception Petitioner: Bolto 100-14, Md + 5. Wo. t. - Boll Mub. la System.
Location of property of Carrofe Borto 1/2- 40/d N. Pl. R.L. Bostalite CA frequety of Bolls Co. Fire Dept. 11/3/89

haber of Signet _____

Belivence County

Sound Commissions

office of Pleasing & Zening
Tonion, Moryland 21204

COTH 887-3353

BUTICE OF MEARING
The Zening Commissioner of Belivious County, by authority of Belivious County ord hold a make housing on the property deathful bessit in Senior 108 of the County Office habiting to coted at 111 W. Commission habiting to Toniors. Maryland on talying
Pentition for Special Emorphism
CASE MUNICIPAL BEST 1884

CASE 12th Election District
7th Councilments Bistrict
Lagal Durnerish
Retires County, Maryland
Tonant: Southwestern Boll
Hobbit Systems, Inc., tie Mobile Systems, Inc., tie
Collular One
HEARING: WEDNESDAY,
HOVERREEN 15, 1989 at FCM a.m.
Special Exception: For a wireless
transmitting facility ion an existing
public toward.
In the event that this Petition is
granted, a building permit may be insued within the thirty (30) day appeal
period. The Zoning Commissioner will,
however, entertain any request for a
stay of the issuance of said permit
during this period for good cause
shown. Such request must be in uniting and necessed in this office by the
date of the hearing set shove or presented at the hearing. sented at the hearing set recover or pre-sented at the hearing.

NOTE:

If "PHASE it" of the "SNOW EMERGENCY
PLAN" is in effect in Baltimere County on the above hearing date, the Hearing will be postponed in the event of snow, tele-phone 867-3391 to continu hearing date.)

J. ROBERT MAINES
ZONING COMMISSIONER **BALTIMORE COUNTY, MARYLAND**

CERTIFICATE PUBLICATION

Dundalk Eagle

4 N. Center Place P. O. Box 8936 Dundalk, Md. 21023

October 19,

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hrgs. Case #90-169-X - P.O. #17309 - Req. #M34252 - 90 lines \$45. was inserted in **The Dundalk Eagle** a weekly news-

paper published in Baltimore County, Maryland, once a week **** before the 19_{89} ; that is to say, the same was inserted in the issues of October 19, 1989

Kirnbel Publication, Inc.

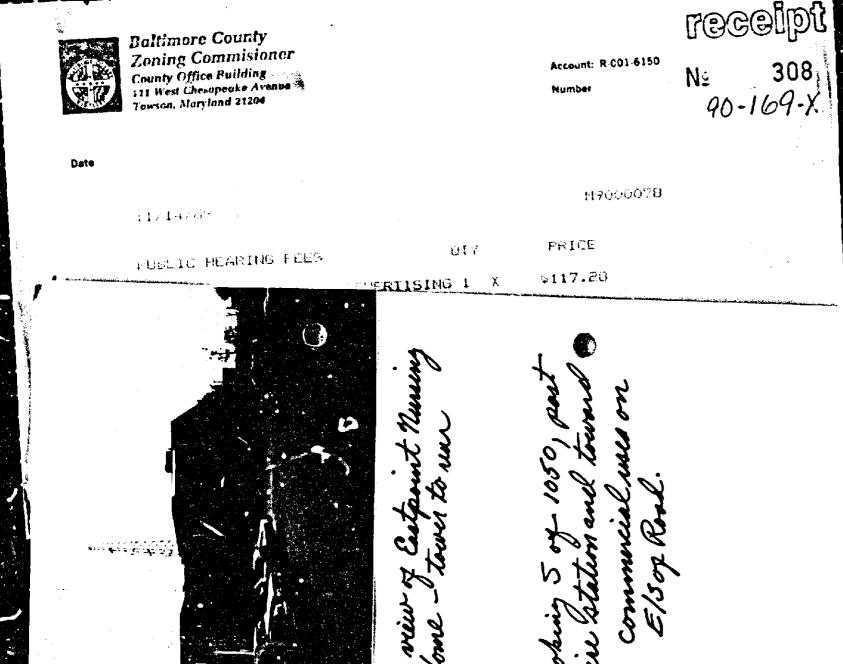
ENVIRONMENTAL IMPACT ASSESSMENT
OF CELLULAR ONZ'S PROPOSED
RADIO TELEPHONE STATION
EAST POINT AREA OF BALTIMORE COUNTY, MARYLAND

PETITIONER'S EXHIBIT 6

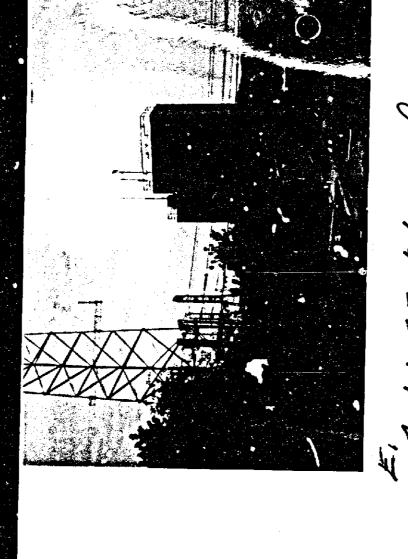
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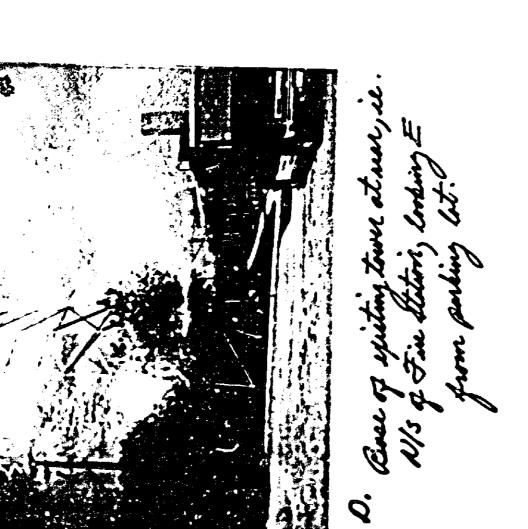
ENVIRONMENTAL IMPACT ASSESSMENT
OF CELLULAR ONE'S PROPOSED
RADIO TELEPHONE STATION
EAST POINT AREA OF BALTIMORE COUNTY, MARYLAND

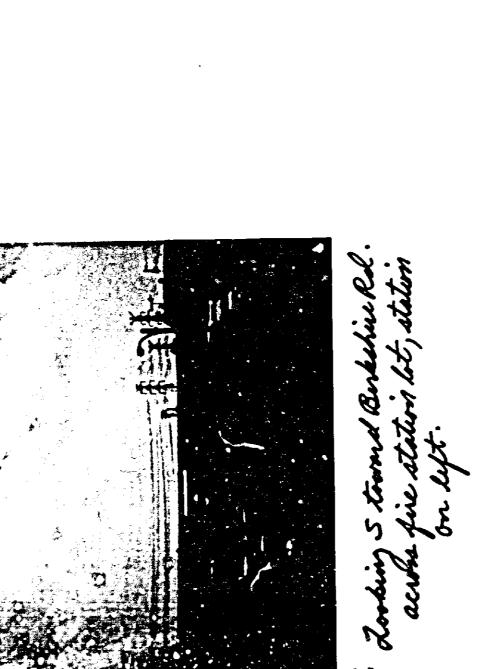
CI SELLINC.
ENVIRONMENTAL RISK MANAGEMENT

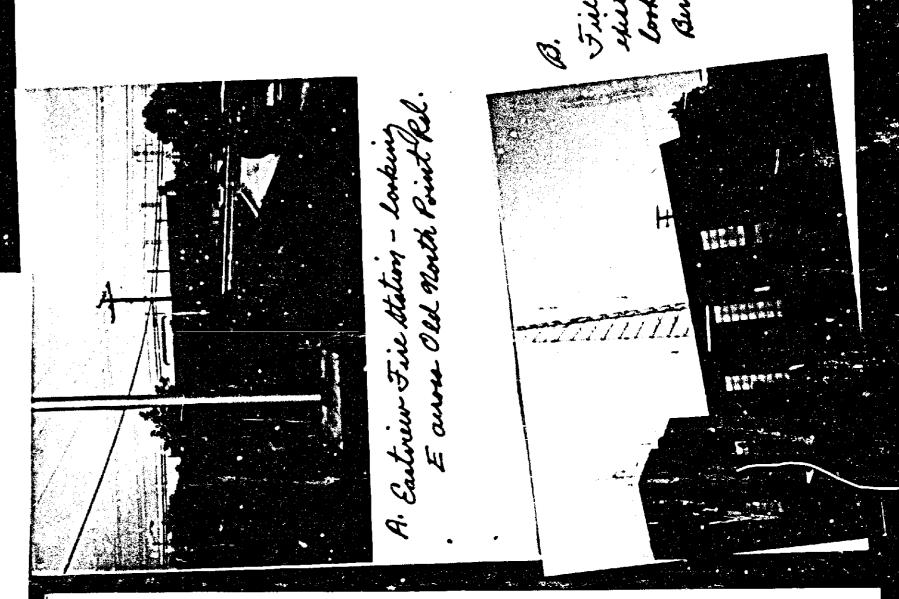










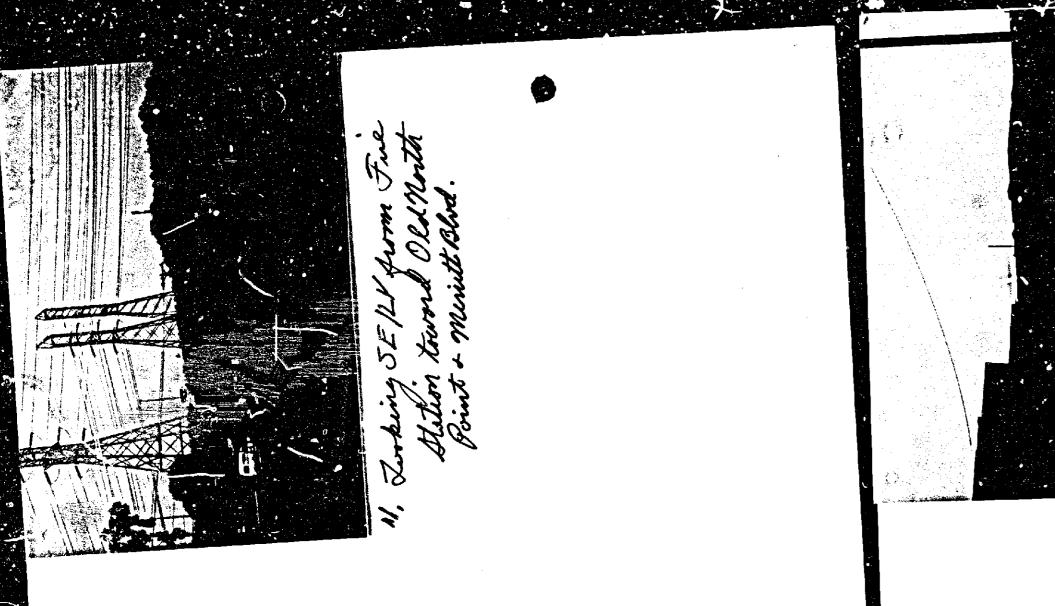


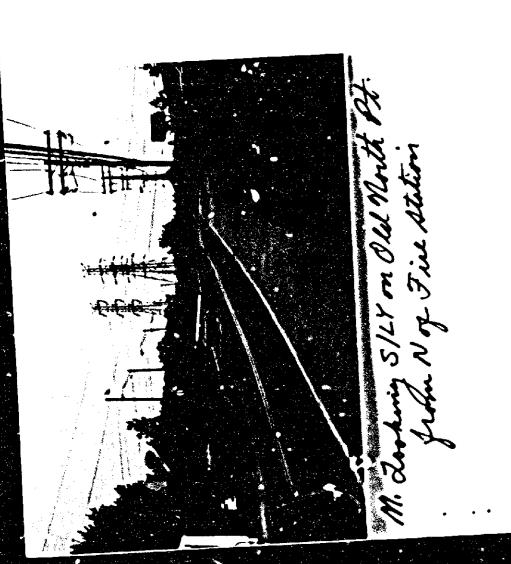
PETITIONER'S EXHIBIT_2

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CELULARONE







BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: November 1, 1989 J. Robert Haines

Zoning Commissioner

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Zoning Petition No. 90-169
Baltimore County, Maryland
Arnold Jablon, County Attorney
Southwestern Bell Mobile Systems, Inc., T/A Cellular One - Item 30

The Petitioner requests a Special Exception for a wireless transmitting facility (on an existing public tower) pursuant to Section 1B01.1.C.20(B.C.2.12).

In reference to this request, Staff offers no comment.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:JL:ggl ZP90/169

11/1/89 sent late comments



Maryland Department of Transportation State Highway Administration

Richard H. Trains Secretary Hal Kassoff D desinistrator

RE: Baltimore County ZONING Eastview Fire Station Zoning meeting 8/8/89 W/S Old North Point Rd MD 20 at Berkshire Road Item #30

Dear Mr. Haines:

Att: James Dyer

Mr. J. Robert Haines

Zoning Commissioner County Office Building

Towson, Maryland 21204

After reviewing the submittal for a special exception for a wireless transmitting facility on an existing public tower, we find the plan acceptable.

If you have any questions, contact Larry Brocato (333-1350).

Very truly yours,

Creston J. Mills, Jr. Chief Engineering Access Permits Division

LB/es

cc: Gerhold, Cross and Etzel Mr. J. Ogle

My telephone number is (301) 333-1350

Teletypewriter for impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toil Free 707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 31, 1989

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Burcau of

RE: Item No. 30, Case No. 90-169-X

Department of Traffic Engineering State Roads Commission Bureau of Firs Prevention

> Project Planning **Building Department** Board of Education Zoning Administration

Stephen J. Nolan, Esquire 300 E. Joppa Road, Suite 1105 Towson, MD 21204

> Petitioner: Baltimore County, et al Petition for Special Exception

Dear Mr. Nolan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Plann's may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

JED:jw Enclosures

cc: Mr. Arnold Jablon Ms. Emilienne O'Rourke Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353 J. Robert Haines Booing Commissions

> Your petition has been received and accepted for filing this 26th day of August, 1989.

> > J. Robert Springs J. ROBERT HAINES ZONING COMMISSIONER

Received By:

Petitioner: Baltimore County, et al Petitioner's Attorney: Stephen J. Nolan

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

ZONING OFFICE

August 25, 1989

Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, and 42.

Very truly yours,

Michael S. Flanigan Traffic Engineer Associate II

MSF/lvw

Baltimore County Fire Department 800 York Road Towson, Maryland 21204-2586 (301) 887-4500

Paul H. Reincke Chief

J. Robert Haines Zoning Commissioner

Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

BALTIMORE COUNTY, MARYLAND RE: Property Owner: CORNER OF SW/S OF OLD MORTH POINT Location:

Zoning Agenda: AUGUST 8, 1989 Item No.: 30

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property. 6. Site Plans are approved, as drawn.

Planning Group Special Inspection Division

JK/KEK

AUGUST 11, 1989

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MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

9130A.1 PETITIONER(S) SIGN-IN SHEET - 90-169-X PLEASE PRINT CLEARLY ADDRESS

700 Court Towers, 21204

6850 Versav Conter, Springfield Ut 2214

7855 WALKER DR., GREENBELT, MD 2071 newton Williams RONALD F. STEG AMY O'ROURKE 7855 NALKER DR. Gerenbelt, MD. Joseph E. Joyce 412 DELAWARE AVE. BALTO. MO 212. DAVID RANSONE

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204 (301) 887-3353

Notary Public Seal

J. Robert Haines Zoning Commissioner

PROVISIONAL APPROVAL	
PERMIT NO.: DATE:	Dennis F. Rasmussen
ADDRESS: 1056 Old North Pourt	Ref. County Executive
ZONING HEARING/ITEM # 90-169 X	
The issuance of this permit in no way grant any matter relating to this property which Baltimore County Zoning Regulations.	
The owner/contract purchaser may proceed at construction indicated in the above-reference of this permit is subject to the following	ced permit and the issuance
In the event that the owner's/contract purcis denied; immediately thereafter the owner return the property to the condition it was of seid construction and accepts full finance.	/contract purchaser must in prior to the beginning
uor	sanney
Zoning Commissioner Owner	r/Contract Rurchaser
Addre	58 7812 Wilson we Sv. W. 7mD 21834

Work Phone 560. 2370 Home Phone 165.9079

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

PROVISIONAL APPROVAL

J. Robert Haines Zoning Commissioner

DATE: 10.19.99

PERMIT NO.: 6034504 C-1981-89 ADDRESS: 1050 Old North Pourt Re

zoning hearing/iten • 90-169 X

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above-referenced permit and the issuance of this permit is subject to the following CONDITION:

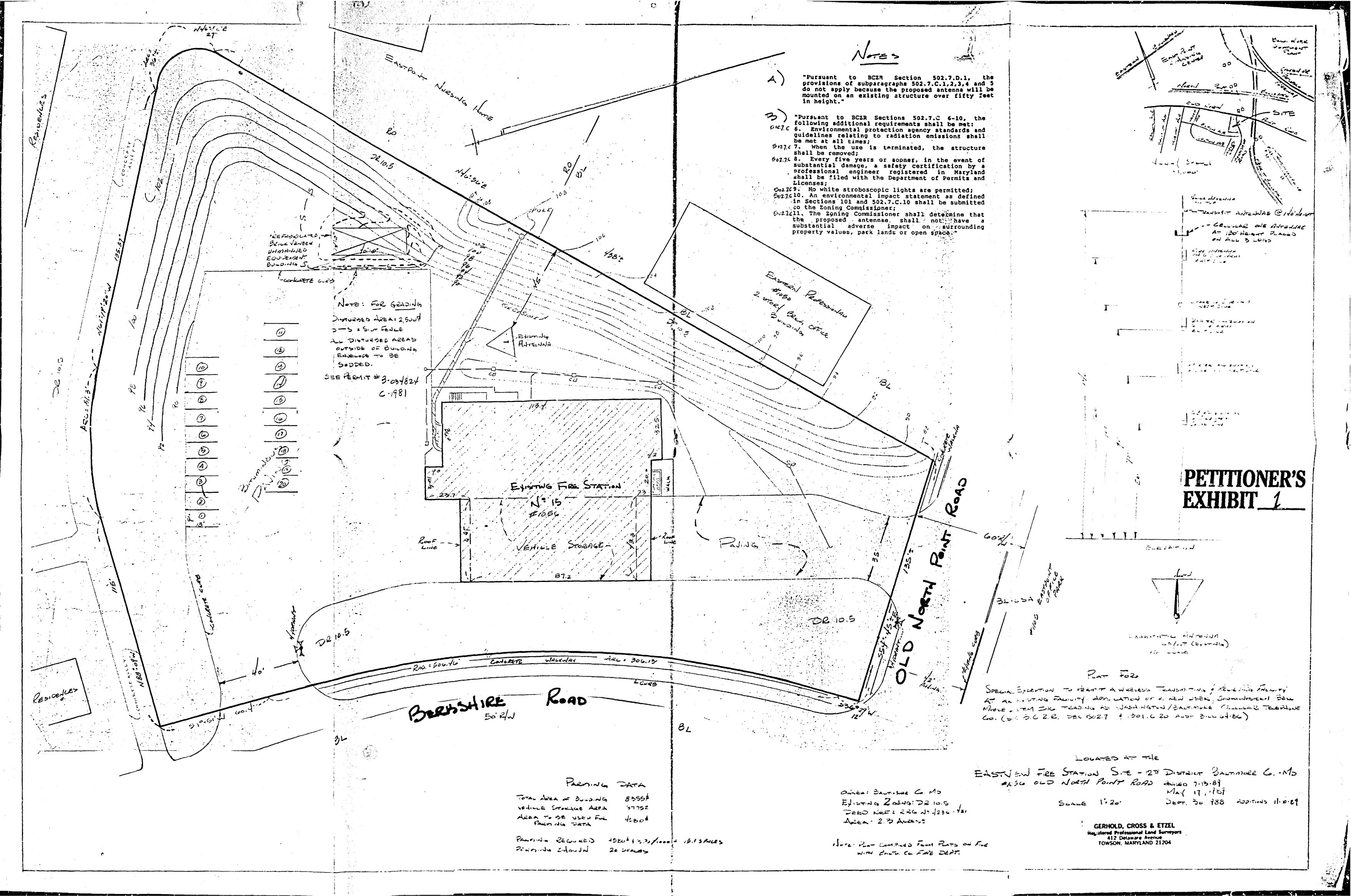
In the event that the owner's/contract purchaser's petition for relief is denied; immediately thereafter the owner/contract purchaser must return the property to the condition it was in prior to the beginning of prid construction and accepts full financial liability in the matter.

Zoning Commissioner

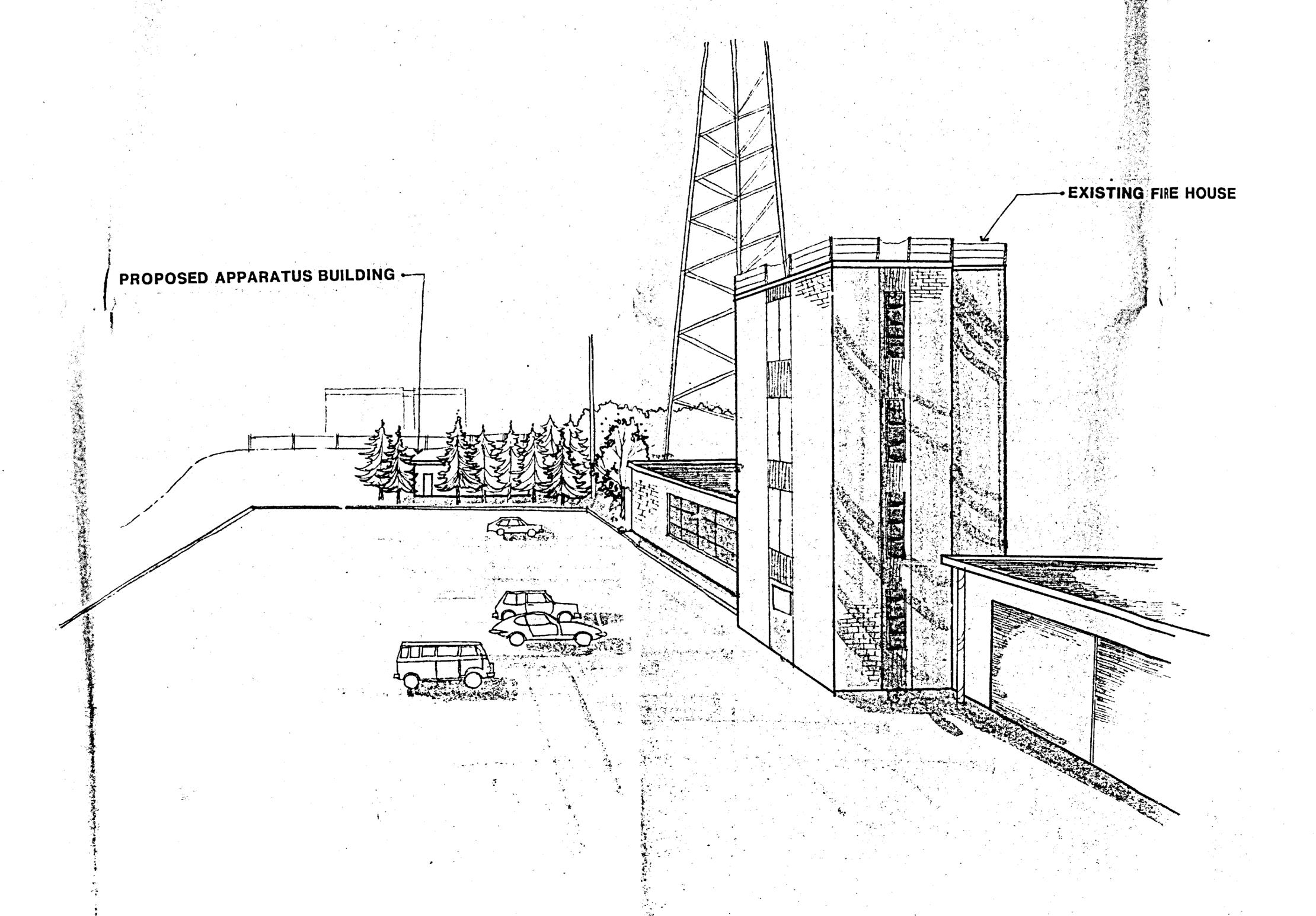
Marie Duman Notary Public Seal

Work Phone 560. 2370 Home Phone 1,65.0019

My Commission



EASTVEW FIRE STATION CELLULAI 1 APPARATUS BUILDING



PETITIONER'S EXHIBIT 3

